

**REMARKS**

Claims 2-10 and 12-13 are pending in this application. By this Amendment, claims 2-6 and 8-9 are amended; claims 1 and 11 are canceled; and claims 12-13 are new.

**I. Allowable Subject Matter**

Applicant gratefully acknowledges that claims 4-8 and 11 contain allowable subject matter and are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

**II. Claim Rejections Under 35 U.S.C. §102**

Claim 1 is rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 4,957,371 to Pellicori et al. (hereinafter "Pellicori"). Additionally, claims 9-10 are rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,982,541 to Li et al. (hereinafter "Li").

Claim 5 has been amended to incorporate the subject matter of independent claim 1. Therefore, the rejection is obviated by the amendment. The Examiner is respectfully requested to reconsider and withdraw the rejection.

Referring specifically to claim 9, the Office Action asserts that Li discloses an optical device comprising: a light modulator; a projection system; an optical filter disposed downstream from the modulator and having a substrate with an optical conversion film formed of alternate high and low refractive index layers formed on a substrate and tilted with respect to the projection axis. We respectfully traverse the rejection.

Li does not disclose the optical conversion film being inclined with respect to the substrate by being continuously thinner from one end to the other end. Instead, Li discloses a basic thin film structure (186) has (2L-1) alternatively low and high refractive index layers and the layers are embedded between two identical substrates (180) and (189) (col. 13, lines

5-10). Specifically, Fig. 18 shows the basic thin film structure (186) with the alternatively low and high refractive index layers being of the same thickness throughout. Therefore, Li does not disclose, teach nor suggest the present invention.

Based on the discussion above, independent claim 9 is in condition for allowance. Additionally, dependent claim 10 depends directly from claim 9 and is therefore in condition for allowance. The Examiner is respectfully requested to reconsider and withdraw the rejections.

### **III. Claim Rejections Under 35 U.S.C. §103**

Claims 9-10 are rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,280,035 B1 to Tadic-Geleb et al. (hereinafter "Tadic-Geleb") in view of U.S. Patent No. 6,697,195 to Weber et al. (hereinafter "Weber"). Claim 2 is rejected under 35 U.S.C. §103(a) as being unpatentable over Pellicori in view of U.S. Patent No. 6,249,378 to Shimamura et al. (hereinafter "Shimamura"). Additionally, claim 3 is rejected under 35 U.S.C. §103(a) as being unpatentable over Pellicori in view of U.S. Patent No. 6,011,652 to Cushing (hereinafter "Cushing").

Referring specifically to independent claim 9 the Office Action asserts that Tadic-Geleb discloses an optical device comprising: a light modulator; a projection system; an optical filter made of a DBEF disposed downstream from the modulator at an angle to the projection axis. Additionally, the Office Action goes on to assert that Weber teaches that DBEF is made of films formed of alternate high and low refractive index layers formed on a substrate. We respectfully traverse the rejections.

Weber does not disclose the optical conversion film being inclined with respect to the substrate by being continuously thinner from one end to the other end. Instead, Weber discloses that the individual layers are of uniform thickness (Figs. 19-20).

Based on the arguments presented above independent claim 9 is in condition for allowance. Additionally, dependent claim 10 depends directly from independent claim 9, and therefore, is in condition for allowance. We respectfully request the Examiner to reconsider and withdraw the rejection.

Dependent claims 2 and 3 depend directly from amended independent claim 5. Based on the arguments presented above, independent claim 5 is in condition for allowance. Therefore, dependent claims 2 and 3 are also in condition for allowance. We respectfully request the Examiner to reconsider and withdraw the rejections.

#### **IV. Conclusion**

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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